

REMARKS

Reconsideration of the application is requested.

Claims 1-12 are now in the application. Claims 1-12 are subject to examination. Claims 13 and 14 have been canceled to facilitate prosecution of the instant application.

Under the heading "Claim Rejections – 35 USC§112" on page 2 of the above-identified Office Action, claims 13 and 14 have been rejected as being indefinite under 35 U.S.C. §112, first paragraph.

Claims 13 and 14 have been canceled in order to advance prosecution of this case. Entry of the amendment is requested after the final rejection.

It is accordingly believed that the claims meet the requirements of 35 U.S.C. §112, first paragraph. The above-noted changes to the claims are provided solely for advancing prosecution of this case. The changes are neither provided for overcoming the prior art nor do they narrow the scope of the claim for any reason related to the statutory requirements for a patent.

Under the heading "Claim Rejections – 35 USC§103" on page 3 of the above-identified Office Action, claims 1-14 have been rejected as being obvious over Applicant's Admitted Prior Art in view of U.S. Patent No. 6,275,498 B1 to Bisceglia under 35 U.S.C. §103. Applicant respectfully traverses.

Applicant will first discuss some of the comments made by the Examiner in the Response to Arguments on pages 6-9 of the Office action. The Examiner alleges that it would have been obvious to use two different Bluetooth addresses to identify a primary terminal. However, the Examiner's statements supporting this allegation are contradictory and confusing. On page 6 of the Office Action, the Examiner explicitly states: "The Examiner is not attempting to use two different Bluetooth addresses to identify a network device or more precisely a network interface of a network device" (emphasis added). Applicant responds by pointing out that the claimed invention does exactly. Therefore the Examiner's statement is confusing because it seems to support applicant's assertion of non-obviousness rather than supporting an assertion of obviousness. The Examiner continues on page 7 of the Office Action and states: "Instead, the Examiner's point is that it would be obvious for one to use two different network addresses to identify two network interfaces ..." (emphasis added). Applicant points out that claims 1, 11, and 12 do not involve network addresses, but rather specifically relate to Bluetooth addresses BD\_ADDR. Applicant therefore believes that this statement of the Examiner, which relates to network addresses rather than Bluetooth Addresses BD\_ADDR, also does not support the assertion of obviousness.

On page 7 of the Office Action, the Examiner states: "As claim 1 essentially calls [ ... ] for a system that comprises a device (primary terminal) equipped with two network interfaces ... ". Applicant again points out that the invention

as defined by claims 1, 11, and 12 does not relate to a “network interface” or to any similar feature. Applicant therefore believes that the statement of the Examiner, which has been copied above, also does not support the assertion of obviousness.

In contrast to the comments given in the Examiner’s Response to Arguments, the invention as defined by claims 1, 11, and 12 specifies Bluetooth addresses BD\_ADDR which are well known in the art. Bluetooth addresses are unique device addresses which are well-defined by the official Bluetooth Standard. To illustrate this, applicant has attached a definition of the Bluetooth address BD\_ADDR which was taken from the Glossary at the official Bluetooth website:

<http://bluetooth.com/Bluetooth/Technology/Glossary>.

Now let us consider the claimed invention in detail. Claims 1 and 11 specify that data packets are interchanged by radio between said primary terminal and:

said first group of secondary terminals with a first Bluetooth address BD\_ADDR of said primary terminal being used for connection identification; and

said second group of said secondary terminals with a second Bluetooth address BD\_ADDR of said primary terminal being used for connection identification.

In other words, the primary terminal is identified with two Bluetooth addresses. Applicant first of all points out that the Bluetooth standard requires using only one address to identify a primary terminal. Secondly, the Bluetooth standard does not support using two addresses to identify a primary terminal. Applicant asserts that it simply would not have been obvious use two different Bluetooth addresses to identify a primary terminal because the Bluetooth standard specifically requires using only one address and because the Bluetooth standard does not support using two addresses. The Examiner has not identified any teaching in the prior art that would have motivated one of ordinary skill in the art to: 1) ignore the requirements of the Bluetooth standard that require the use of only one identification address; and 2) modify the operation of a Bluetooth device so that two Bluetooth addresses can be used to identify a single device.

Bisceglia does not provide a suggestion to ignore the requirements imposed by a communication standard because the communication standard used in Bisceglia actually supports using multiple addresses to identify devices, whereas in contrast, the Bluetooth standard does not support identifying a single device with multiple addresses.

Bisceglia does not teach or suggest using multiple addresses with a communication standard, such as Bluetooth, which does not support the use of multiple addresses for connection identification. Therefore, applicant asserts

that the prior art simply does not teach or suggest providing a primary terminal with a second Bluetooth address BD\_ADDR for connection identification when the Bluetooth communication standard does not support the use of multiple addresses for connection identification.

Furthermore, the admitted prior art relates to transmission by radio, whereas Bisceglia does not in any way relate to radio transmission or to the Bluetooth standard in particular. Applicant asserts that Bisceglia does not provide a suggestion to modify a radio transmission system, such as that discussed in the admitted prior art. The claimed invention is not obvious over the cited prior art.

Let us now review the standard for determining obviousness as set forth in the MPEP. MPEP 2141 Section II sets forth the Graham Factual Inquiries that are used to determine obviousness under 35 U.S.C. 103. This section is copied below:

## II. BASIC CONSIDERATIONS WHICH APPLY TO OBVIOUSNESS REJECTIONS

When applying 35 U.S.C. 103, the following tenets of patent law must be adhered to:

(A) The claimed invention must be considered as a whole;

(B) The references must be considered as a whole and must suggest the desirability and thus the obviousness of making the combination;

(C) The references must be viewed without the benefit of impermissible hindsight vision afforded by the claimed invention; and

(D) Reasonable expectation of success is the standard with which obviousness is determined.

Applicant respectfully asserts that when Applicant's Admitted Prior Art and the teaching in Bisceglia are considered as a whole as required by tenet (B), they do not suggest the desirability of making the combination and they do not make such a combination obvious.

The Examiner has correctly recognized that Applicant's Admitted Prior Art discloses a data transmission system based on the Bluetooth standard. The Examiner, however, is of the opinion that it was obvious to modify the prior art Bluetooth data transmission system to obtain a data transmission system with the additional feature:

a second group of said secondary terminals, data packets being interchanged by radio between said primary terminal and said second

group of said secondary terminals with a second Bluetooth address  
BD\_ADDR of said primary terminal being used for connection  
identification.

Applicant respectfully disagrees with the opinion of the Examiner and argues that when one of ordinary skill in the art is working with a data transmission System based on the Bluetooth standard, they simply would not have obtained a suggestion to include the feature of claim 1, which is copied above, in the system disclosed in Applicant's Admitted Prior Art.

The first and second addresses BD\_ADDR as required by currently amended claim 1 correspond to 48-bit addresses BD\_ADDR (See BD\_ADDR in Fig. 1) according to the Bluetooth standard that uniquely identify a Bluetooth device. Applicant points out that the term BD\_ADDR is defined in the Bluetooth standard. This means that according to the prior art, each Bluetooth device has its own truly unique 48-bit address BD\_ADDR that cannot be modified by the user of the Bluetooth device. The Bluetooth standard requires this assignment of a unique address BD\_ADDR to an individual Bluetooth device. In order to conform with the Bluetooth standard, one of ordinary skill in the art uses only a single address BD\_ADDR for each individual Bluetooth device.

In contrast to this prior art Bluetooth system, the invention defined by claim 1 requires the use of a second address BD\_ADDR for connection identification during an interchange of data packets between the primary terminal and a

second group of secondary terminals. This idea of using a second address BD\_ADDR contradicts the Bluetooth standard, since this standard insists on using only one address BD\_ADDR. Accordingly, by taking into account only the technical teaching of the prior art, one of ordinary skill in the art is not motivated to use a second address BD\_ADDR for connection identification as required by claim 1.

Furthermore, the teaching in Bisceglia et al. relates to communication systems in which using multiple addresses is supported by the underlying communication standards. It should be evident that employing a second address in a system supporting using multiple addresses does not provide any suggestion or motivation to use a second address in a system that does not support using multiple addresses.

Again, applicant asserts that the prior art simply does not teach or suggest providing a primary terminal with a second Bluetooth address BD\_ADDR for connection identification when the Bluetooth communication standard does not support the use of multiple addresses for connection identification.

Claim 11 includes a primary terminal having a first Bluetooth address BD\_ADDR for wirelessly interchanging data packets with a first group of secondary terminals and a second Bluetooth address BD\_ADDR for wirelessly interchanging data packets with a second group of secondary terminals. From



the discussion above, it should be clear that the invention as defined by claim 11 is also not suggested by the prior art.

The arguments given above with regard to claim 1 also apply to claim 12.

Claim 12, however, additionally species that the first Bluetooth address BD\_ADDR and the second Bluetooth address BD\_ADDR differ in at least one bit of a lower address part LAP.

With regard to using a bit in the lower address part LAP to establish a difference between the first and the second address, the Examiner argues (cf, page 4 of the Office Action):

“... it would have been obvious matter of design choice to place the at least one bit in the least significant bit position, or any other bit position in the LAP filed with the exception of those that are reserved by the Bluetooth standard ...” .

In response to this statement, it is noted that one of ordinary skill in the art is familiar with the fact that the 24 bits of the LAP are assigned by the manufacturer of the Bluetooth device. Accordingly, the Bluetooth Standard reserves all bit positions of the LAP. For this reason, the Bluetooth standard itself rules out using a bit in the LAP to distinguish between different addresses identifying a primary terminal. This is exactly the reason why the Bluetooth Standard itself (i.e. the AAPA) does not motivate one of ordinary skill in the art to extend the AAPA by using the above-cited feature of claim 12. Moreover,

even is using different addresses for only one device is known from the teaching of Bisceglia, one of ordinary skill in the art would not be motivated to employ a second address within the framework of the Bluetooth standard.

The invention as defined by claim 12 is not suggested by the prior art. For similar reasons, the invention as defined by claims 2-4 and 10 is also not suggested.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1, 11, or 12. Claims 1, 11, and 12 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 1.

In view of the foregoing, reconsideration and allowance of claims 1-12 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

Please charge any fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Sterner LLP, No. 12-1099.

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Respectfully submitted,

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MPW:cgm

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